

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

SAMUEL RODRIGUEZ REYNA,

Petitioner,

VS.

WILLIAM STEPHENS,

Respondent.

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CIVIL ACTION NO. 2:14-CV-54

**ORDER ON MOTION TO CORRECT**

Petitioner has filed a document that the Clerk has docketed as a motion to correct (D.E. 13).

First, Petitioner states that he does not consent to the jurisdiction of a United States Magistrate Judge. Petitioner is not required to consent and cannot be punished for withholding consent. 28 U.S.C. § 636. Undersigned United States Magistrate Judge is assigned by standing special order of the District Court to manage this litigation, and will not rule on dispositive motions. Consent is not required for this assignment.


Second, Petitioner requests appointment of counsel. His request is denied without prejudice for the reasons given in the order entered March 11, 2014 (D.E. 12).

Finally, Petitioner asks that the Clerk correct the date of filing his petition to February 20, 2014, the date he placed the petition into the prison mail system. Petitioner has correctly stated the law. If limitations or date of filing of the petition becomes an

issue, the date of handing the petition to prison authorities will be considered as the filing date pursuant to the mailbox rule. *See Spotville v. Cain*, 149 F.3d 374, 376 (5th Cir. 1998); Rule 3, Rules Governing Section 2254 Cases.

All relief not granted by this order (D.E. 13) is denied.

ORDERED this 12th day of March, 2014.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE